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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,417	12/03/2003	Yoshiyuki Ishii	1982-0207P	4769

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EXAMINER

TAWFIK, SAMEH

ART UNIT PAPER NUMBER

3721

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,417

Applicant(s)

ISHII ET AL.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) 18-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Newly submitted claims 18-26 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the new added claims 18-26 are directed to different species of Fig. 2, which is different from the original examined claims 1 and 6-8 which directed to species of Fig. 1.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 18-26 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by JP patent (7-49197).

“197 discloses a method for controlling manufacture of a sheet material in which the sheet material cut into a predetermined size (via tail end cutting shear 16) or a processed product of the sheet material is manufactured by processing the sheet material or performing predetermined operations on the processed sheet material at each of processing operations or processing sections provided at the processing operations while conveying the sheet material

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along a predetermined line, the method comprising detecting passage of the sheet material (Figs. 1 and 2; via detecting means 15 and 25 on the passage of the long sheet cut by via 16 which then cut into smaller sheet 10 by via 26) or the processed product of the sheet material by sheet material detectors disposed at entrance (via detecting means 15) and exit (via detector means 25) sides of each of the processing operations (via operations 23 and 24) or the processing sections where the sheet material or the processed product of the sheet material enters and exits the processing operations or the processing sections (Figs. 1 and 2); and controlling conveyance or manufacture of the sheet material or the processed product of the sheet material based on results of detection by the sheet material detectors (last 6 lines of the Abstract).

Regarding claim 7: wherein the predetermined operation comprises sorting the sheet material (Figs. 1 and 2; via 37-39).

Regarding claim 18: wherein the operation section comprises a branch path for sorting the sheet material being conveyed, and the sheet material detectors are disposed at entrance and exit sides of the branch path (Figs. 1 and 2; via detectors 15 and 25 at the entrance and exit of the branch path of the long severed sheet via using tail end cutter shear 16).

Response to Arguments

Applicant's arguments filed 01/21/2005 have been fully considered but they are not persuasive.

Applicants argue in pages 8 and 9 of the arguments that Yuito's reference discloses a web material cutting line in which a web drawn from a reel 12 is processed at a reservoir 23 or a lever 24, after which the web is cut into a predetermined length, in contrast, the present invention directed to cutting the sheet material from a whole web first and then directing the sheet material

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into a predetermined operations. The examiner believes that Yuito discloses cutting a long sheet material via tail end cutting shear 16 and further cutting it into a small different sheets, which the examiner consider that long sheet which cut by via 16 similar to the claimed "sheet material cut into a predetermined size". Alternatively, the examiner believes that the claimed "detecting passage of the sheet material" could be seen in Yuito as detecting the passage of the continuous web 10 which later cut into small sheets, which can be considered as the "passage of the sheet material".

Applicants further argue in page 9 of the arguments that detection in the present invention is necessary because the sheet has already been cut into a predetermined size before the sheet is subjected to processing operation, to confirm the passage of the sheet material at entrance and exit of the processing operations. The examiner as set forth believes that Yuito discloses cutting a the sheet material into a predetermined size via long sheet material by using tail end cutting shear 16 which been detected and been through different operations along the apparatus; via detector 15 is located after the feeding operation via 13 and before the cutting operation via 15 and detector 25 is located after the cutting operation 16 and different other operations such as 23 and 24 and prior to another cutting operation via 26.

Applicants again in page 9 of the filed arguments stressing the issue that Yuito fails completely to teach or suggest "detecting passage of the sheet material" by sheet material detectors disposed at entrance and exit sides of an operation section for sorting the sheet material. The examiner strongly believes that Yuito discloses "detecting passage of the sheet material", by detecting the passage of long sheet material cut by via 16, using sheet material detectors disposed at entrance and exit sides of an operation via detectors 15 and 25 at entrance

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and exit of different operations and then a section for sorting the sheet material via using separate conveyors 27-29.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

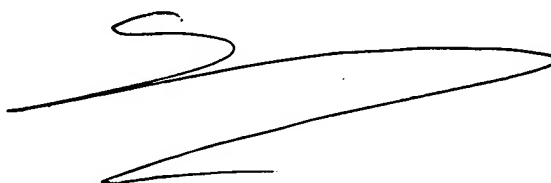
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik
Patent Examiner
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A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned below the printed name.

ST.